

REMARKS/ARGUMENTS:

The Applicant wishes to thank the Examiner and the Primary Examiner for the interview conducted on January 14, 2004.

During that interview, the Stuelpnagel reference was discussed and the Applicant contrasted the present invention, in which oligonucleotides are placed on the sides of glass fibers, to Stuelpnagel in which the oligonucleotides are on glass beads attached to the ends of glass fibers. The Primary Examiner introduced the reference of Wagner, which bears a striking resemblance to Fig. 3 of the present application. It was concluded ultimately that the stripes shown, for example in Fig. 1 of Wagner, are in fact grooves rather than filaments per the present invention.

While no binding conclusion was reached with respect to the claims, it was indicated that based on the current art and arguments that a claim directed generally to the embodiment shown in Fig. 3 of the present invention should be patentable. Accordingly, Applicant has added new claims 37-40 intended to address those elements of the invention depicted in Fig. 3.

Applicant believes that claims 1-13 which address a customizable array in which a larger number of filaments are prepared and assembled into the device of Fig. 3 should also be patentably distinct over the prior art, providing a viable alternative to the non-customizable and limited variety of gene chip arrays currently manufactured by companies such as Affymetrix.

Claims 34-36 are retained in the event that the Examiner may find alternative statement of the invention acceptable or preferable.

In light of these comments and remarks, it is believed that claims 1-13, 34-36, and 37-40 are in condition for allowance and allowance is respectfully requested.

Respectfully submitted,

By: 

Keith M. Baxter
Reg. No. 31,233
Attorney for Applicant
Quarles & Brady LLP
411 E. Wisconsin Avenue
Milwaukee WI 53202-4497
(414) 277-5719